

*On March 23, 2021, Governor Ralph Northam signed [Executive Order 77](#), aimed at reducing Virginia's reliance on single-use plastics and reducing waste sent to landfills. EO 77 applies to all executive branch state agencies, including state institutions of higher education, and their concessioners.*

## I. Measuring Progress

### **What is the metric agencies should use to measure their progress?**

One of the goals of the EO is to “ensure that the Commonwealth does not exceed the capacity of existing landfills and incinerators”; therefore, the volume of plastic waste is the most relevant metric. DEQ will estimate the volume of landfill space conserved through agency reporting.

### **How should agencies establish their baseline (list of typical plastic purchases)?**

Agencies should focus on their typical purchases. For many agencies, 2020 does not represent a typical year. Ideally, agencies should review their purchases from the last three to five years to determine their baseline (if that is not possible, using the last two years is acceptable).

## II. Alternative Products

### **Is a vendor's claim that an item is not a "single-use" plastic sufficient to comply with the EO or is additional research into the item needed by the agency to determine if the item falls within the EO?**

An item needs to be intended to be used multiple times to not be considered a single-use.

## III. EO 77 Implementation Assistance

### **Is the Commonwealth intending to provide support in connecting entities to share ideas and best practices when developing Plastic Pollution and Solid Waste Reduction Plans, as some actions may depend on supply chain availability and diversion options (i.e., composting)?**

DEQ will include information related to EO 77 implementation on its website, including definitions, resources and best practices. DEQ's Office of Pollution Prevention already had in place a greening of government initiative and has been working with EPA Region 3 for the last few years on it.

Many of the requirements in EO 77 are built on this initiative and on previous Executive Orders, including Executive Order 82 (2009) from Governor Timothy M. Kaine. In fact, the Order from 2009 included a ban on the purchase of plastic water bottles by state agencies. DGS/DPS/VDC plan to host meetings and conduct surveys to share ideas and develop specifications for alternative products with their customer base.

## IV. Public Awareness

**Will the Commonwealth develop a communications plan or campaign to support this initiative with the general public that includes advice on acceptable alternative products? As alternative products become available, how will the Commonwealth help raise awareness of the importance of source reduction, reuse, composting and recycling?**

DEQ is providing background, FAQs, definitions, etc., and will also work with other agencies to develop information on acceptable alternative products. As part of its Greening of Government initiative, DEQ will also offer relevant webinars.

## V. Miscellaneous

**For those universities and agencies that serve as emergency shelters for either their students or community, will there be an exemption for the supplies that must be kept on hand for that usage?**

The EO states that "nothing in this Order shall restrict any Agency from using any items as necessary to respond to any executive action declaring a state of emergency," so preparations universities and agencies that serve as emergency shelters are required to make are excluded from its requirements.

**Related to the question above, the cycling out of those supplies (e.g., bottled water or to keep items fresh for emergency needs), would purchasing and use of those items be an acceptable exception to the overall implementation of EO77?**

Cycling out of supplies required for emergency shelters should be done in a way that maximizes their potential for use (through donation for example) or recycling as opposed to landfilling. Replenishing those supplies are exempt from the requirements of the EO per the answer above.